

information about the user (e.g., a user's inherent information or a user's customer number and personal identification number), and, instead of sending the message to a mating party, Uchida UK sends the message to an authentication executing device.

At page 22, lines 5-9, Uchida UK describes transmitting the secret information corresponding to the fingerprint from the fingerprint checking unit 12 to the authentication message encrypting unit 15 when the "fingerprints are in accord." However, since the units 12 and 15 are both components of the portable terminal, the fingerprint checking unit is not communicating with a mating party or manager and, accordingly, cannot correspond to the recited sending means.

At page 23, lines 5-10, Uchida UK notes that "when the input fingerprint is in accord with the fingerprint feature stored in the user inherent information storing unit 13, the secret information on the user stored in the user inherent information storing unit 13 is supplied to the authentication executing device 2." However, this secret information, which, as noted at page 20, lines 13-16, is user inherent information, does not constitute a notice of coincidence. In addition, the authentication executing device 2, which needs to authenticate the user, does not constitute a mating party or manager such as is recited in the claims.

For at least these reasons, the rejection of claims 1, 7, 11 and 17, and their dependent claims, should be withdrawn.

Independent claim 17 further recites that "a password is sent as data to the manager after the notice of collation is sent to the manager, and the reference living body information is rewritten when the password is authenticated as correct on the manager." While the rejection indicates that this may be found in Uchida UK at page 1, lines 23-25, applicant respectfully disagrees. In particular, that passage merely notes that a password is conventionally used to certify the authenticity of a user, and in no way says anything about rewriting reference body information. Accordingly, the rejection of claim 17 and its dependent claims should be withdrawn for at least this additional reason.

Independent claims 55 and 56 similarly recite means for transmitting a signal of performing authentication of the user when the collation living body information and the

reference living body information of the user coincide. Uchida UK does not describe or suggest such means for the reasons presented above. Accordingly, for at least this reason, the rejection of these claims, and their dependent claims, also should be withdrawn.

Claims 21, 22, 24, 37-42 and 46-48 have been rejected as being unpatentable over Uchida UK in view of Li (U.S. Patent No. 6,219,793). Applicant requests reconsideration and withdrawal of this rejection because Li does not remedy the failure of Uchida UK to describe or suggest the subject matter of the independent claims.

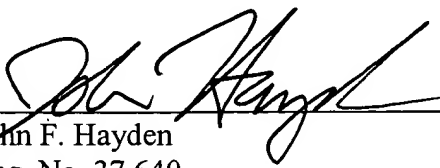
Claims 1-20, 23, 25-36, 43-45, and 49-54 have been rejected as being anticipated under section 102(a) by U.S. Patent No. 6,751,734 to Uchida ("Uchida US"), and claims 21, 22, 24, 37-42 and 46-48 have been rejected as being unpatentable over Uchida US in view of Li. Uchida US appears to be identical to Uchida UK. Accordingly, applicant requests reconsideration and withdrawal of these rejections for the reasons discussed above with respect to the rejections based on Uchida UK.

Applicant submits that all claims are in condition for allowance.

A check in the amount of \$1810.00 is enclosed (\$790.00 for the RCE filing fee and \$1020.00 for the Three-Month Extension of Time fee). Please apply any additional charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: June 3, 2005



John F. Hayden
Reg. No. 37,640

Customer No. 26171
Fish & Richardson P.C.
1425 K Street, N.W., 11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331
JFH/aks/adt
40269733.doc